

REMARKS

The applicants enclose herewith a declaration under 37 CFR § 1.131 (hereinafter "Rule 131") establishing an earlier date of invention for the subject matter described and claimed herein, and request entry and consideration of this declaration. The applicants submit that this declaration is fully effective to establish a conception of the instant subject matter before the effective date of the O'Brien reference (21 October 1999), and also to establish due diligence from before effective date of that reference until the instant invention was constructively reduced to practice, which occurred with the filing of the instant application on 9 November 1999. Accordingly, the applicants request reconsideration and withdrawal of all rejections based at least in part on the O'Brien reference.

The applicants further respectfully submit that the Rule 131 statement enclosed herewith is seasonably presented under MPEP § 715.09(C)(1), since this response is a first response after final rejection, and is submitted with a first reply after final rejection for the purpose of overcoming a new ground of rejection or requirement made in the final rejection.

The applicants submit the Rule 131 statement herein solely to expedite the prosecution of the instant application, and do so without prejudice, disclaimer, or waiver of their rights to address the O'Brien reference in future continuing applications via argument or otherwise.

Favorable action on this response is requested at the earliest convenience of the Office.

Respectfully submitted,

WEST CORPORATION

Dated: 26 APR 04

By:



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